

Rwanda

Incidence and Nature of Child Labor

UNICEF estimated that 41.8 percent of children between the ages of 5 and 14 years were working in Rwanda in 2000.³³⁸⁵ Children are found working in sectors that the Government of Rwanda has identified as worst forms, including domestic work for third party households,³³⁸⁶ agricultural activities on tea, rice, and sugar cane plantations; work in brickyards and sand extraction quarries; crushing stones; prostitution;³³⁸⁷ and various other forms of work in the informal economy.³³⁸⁸

There are an estimated 7,000 street children in Rwanda's capital city, Kigali, and in provincial capitals³³⁸⁹ who work as porters and garbage collectors or sell small items such as cigarettes and candy.³³⁹⁰ Such children are at significant risk of commercial sexual exploitation, such as the exchange of sex for services (e.g. food or protection).³³⁹¹

A study by the Ministry of Labor and UNICEF estimated that 2,140 children are engaged in prostitution in urban areas.³³⁹² There are isolated cases of Rwandan children being trafficked for the purposes of commercial sexual exploitation, labor, and soldiering. Children, specifically, have been trafficked to Burundi and the Democratic Republic of the Congo.³³⁹³ While the Government of Rwanda no longer recruits children for the official Rwanda Defense Forces (RDF, formerly the Rwanda Patriotic Army, or

³³⁸⁵ UNICEF, *Enquete A Indicateurs Multiples (MICS2) Tables*, Kigali, January 11 2001; available from <http://www.childinfo.org/MICS2/newreports/rwanda/rwandatables.pdf>. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

³³⁸⁶ Some children taken in by foster families report that they were given room and board, but expected to perform domestic labor for the family. In this position, they were often unable to attend school. *Lasting Wounds, Consequences of Genocide and War on Rwanda's Children*, Human Rights Watch, New York, March, 2003, 49-50.

³³⁸⁷ U.S. Embassy- Kigali, conference call with USDOL official, February 24, 2004. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Rwanda*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27744.htm>.

³³⁸⁸ *Lasting Wounds*, 62-64.

³³⁸⁹ Human Rights Watch, *Rwanda - Lasting Wounds: Consequences of Genocide and War for Rwanda's Children*, Vol. 15, No. 6, New York, March 2003, 62; available from <http://www.hrw.org>.

³³⁹⁰ *Lasting Wounds*, pg. 63.

³³⁹¹ Pdraig Quigley Angela Veale, Theoneste Ndibeshye, and Celestin Nyirimihigo, *Struggling to Survive: Orphan and Community Dependent Children in Rwanda*, Government of Rwanda and UNICEF, 2001, xv. See also U.S. Embassy- Kigali, conference call, February 24, 2004.

³³⁹² Integrated Regional Information Networks, *Rwanda: Interview with UNICEF representative Theophane Niyemba*, [online] 2002 [cited May 18, 2004]; available from http://www.irinnews.org/report.asp?ReportID=28223&SelectRegion=Great_Lakes&SelectCountry=RWANDA.

³³⁹³ U.S. Department of State, *Trafficking in Persons Report 2004- Rwanda*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm>.

RPA),³³⁹⁴ Rwanda-supported rebel groups have continued to recruit child soldiers for combat against armed groups in the DRC and Burundi. The Government of Rwanda officially withdrew from the conflict in the Democratic Republic of the Congo (DRC) in 2002.³³⁹⁵

In 2002, over 600,000 children in Rwanda were orphans. Of this number, 43 percent were HIV/AIDS orphans (264,000).³³⁹⁶ As many as 13 percent of all households are headed by children (between 200,000 and 300,000 children),³³⁹⁷ and a large number are headed by girls.³³⁹⁸ Children who head households in Rwanda care for siblings and engage in informal work activities for survival. Over 60 percent of child-headed households rely on subsistence agriculture for survival, and 95 percent do not have adequate access to education or health facilities.³³⁹⁹ Children in these households, and girls in particular, are extremely vulnerable to commercial sexual exploitation.³⁴⁰⁰

The Constitution guarantees free, compulsory education in Rwanda from the age of 7 to 12 years.³⁴⁰¹ In 2001, the gross primary enrollment rate was 117.0 percent and in 1999, the net primary enrollment rate was 96.1 percent.³⁴⁰² Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, the gross

³³⁹⁴ Coalition to Stop the Use of Child Soldiers, *Child Soldier Use 2003: A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict, Rwanda*, London, January 16, 2004. The rebel Rwandan Liberation Army reportedly had several hundred child soldiers in their ranks, some of whom served in combat. See Human Rights Watch, "Rwanda: Human Rights Developments," in *World Report 2002*, 2002; available from <http://www.hrw.org/wr2k2/africa9.html#developments>. See also U.S. Department of State, electronic communication to USDOL official, February 24, 2004.

³³⁹⁵ See U.S. Department of State, electronic communication, February 24, 2004. See also Coalition to Stop the Use of Child Soldiers, *Child Soldier Use 2003: Rwanda*. In 2003 it was reported that children had been abducted by Rwandan-supported Congolese militia to serve as combatants, perform forced labor, or for sexual exploitation. There is no current information on this matter. See U.S. Department of State, *Trafficking in Persons Report 2003- Rwanda*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21277.htm#rwanda>. See also Human Rights Watch, "World Report 2002: Rwanda." See also U.S. Department of State, electronic communication, February 24, 2004.

³³⁹⁶ *Children on the Brink 2002: A Joint Report on Orphan Estimates and Program Strategies*, UNAIDS, UNICEF, and USAID, July, 2002, 22.

³³⁹⁷ Angela Veale, *Struggling to Survive*, xi. See also Human Rights Watch, *Lasting Wounds*, 47.

³³⁹⁸ The number of orphans may now be closer to 1 million, with 40,000 child-headed households. See U.S. Embassy- Kigali, email communication, May 27, 2005. IRC estimated that 45,000 families were headed by children. See Jill Donahue John Williamson, and Lynne Cripe, *A Participatory Review of the Reunification, Reintegration, and Youth Development Program of the International Rescue Committee in Rwanda*, USAID, July, 2001, 2.

³³⁹⁹ Human Rights Watch, *Lasting Wounds*, 47-48.

³⁴⁰⁰ *Ibid.*, 48. Prostitution or the exchange of sex for services (food, protection) has become part of some children's survival strategy. See Angela Veale, *Struggling to Survive*, xv.

³⁴⁰¹ UN Committee on the Rights of the Child, *Second Periodic Reports on States Parties due in 1998, CRC/C/70Add.22*, prepared by Government of Rwanda, pursuant to Article 44 of the Convention on the Rights of the Child, October 8, 2003, para. 81. See also UNICEF, *Enquete A Indicateurs Multiples (MICS2)*, Kigali, January 11 2001, 7; available from <http://www.childinfo.org/MICS2/newreports/rwanda/rwanda.pdf>.

³⁴⁰² World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

primary attendance rate was 88.7 percent, and the net primary attendance rate was 71.6 percent.³⁴⁰³ As of 2000, 40.0 percent of children who started primary school were likely to reach grade 5.³⁴⁰⁴

Public schools lack basic supplies and cannot accommodate all primary age school children, and private schools are inaccessible or too costly for the majority of the population.³⁴⁰⁵ Despite a 2003 announcement that primary education would be free for all Rwandan children, as of December 2003, the policy is not fully implemented and children are required to pay tuition fees.³⁴⁰⁶ Even in cases where tuition has been waived, expenses such as books, uniforms, and transportation are prohibitively expensive for many poor families. In addition, over half of primary school teachers lack basic qualifications.³⁴⁰⁷

Child Labor Laws and Enforcement

The Labor Code establishes the minimum age of employment at 16 years.³⁴⁰⁸ However, the Minister of Labor can make exceptions for children aged 14 to 16, depending on the child's circumstances, such as allowing a child with parental authority to work. Children under 16 are prohibited from night work or any work deemed hazardous or difficult, as determined by the Minister of Labor.³⁴⁰⁹ The minimum age for apprenticeships is 14 years, provided the child has finished primary school.³⁴¹⁰ Forced labor is prohibited by Article 4 of the Labor Code.³⁴¹¹

Trafficking is not specifically prohibited by law.³⁴¹² The Criminal Code prohibits prostitution and compelling another person to become engaged in prostitution.³⁴¹³ Law No. 27/2001, Relating to the Rights and Protection of the Child Against Violence, sets the minimum age of military service at 18.³⁴¹⁴

³⁴⁰³ USAID Development Indicators Service, *Global Education Database*, [online] [cited October 25, 2004]; available from <http://quesdb.cdie.org/ged/index.html>.

³⁴⁰⁴ World Bank, *World Development Indicators 2004*.

³⁴⁰⁵ U.S. Department of State, *Country Reports- 2003: Rwanda*, Section 5.

³⁴⁰⁶ U.S. Embassy- Kigali, conference call, February 24, 2004. See also U.S. Department of State, *Country Reports- 2003: Rwanda*, Section 5.

³⁴⁰⁷ *Lasting Wounds*, pg. 50.

³⁴⁰⁸ *Law No. 51/2001 Establishing the Labour Code*, (December 12, 2001), Article 11; available from www.rwandainvest.gov.rw/lawlab.htm.

³⁴⁰⁹ Night work is defined as work between 7 p.m. and 5 a.m.; children also must have a rest period of at least 12 hours between work engagements. See *Ibid.*, Articles 11, 60-66.

³⁴¹⁰ U.S. Department of State, *Country Reports- 2003: Rwanda*, Section 6d.

³⁴¹¹ *Labour Code*, Article 4.

³⁴¹² U.S. Department of State, *Trafficking in Persons Report- 2004: Rwanda*.

³⁴¹³ Punishment for these crimes is imprisonment for up to 5 years and a fine. Penalties are doubled if the crime is committed against a minor under 18 years old. See Government of Rwanda, *Criminal Code, as cited in the Protection Project Database*, [online database] [cited May 17, 2004], Articles 363-65, 74; available from <http://www.protectionproject.org>.

³⁴¹⁴ The law was passed in April 2001, and entered into force in 2002. However, it apparently does not apply to government-organized civilian militia. See *Lasting Wounds*, 16.

According to the U.S. Department of State, the Ministry of Labor and the Ministry of Local Government do not effectively enforce child labor laws.³⁴¹⁵ The Ministry of Labor maintains one office that focuses on children. This office is severely under-funded, as evidenced by the Ministry’s Inspector Program, which has only one inspection office in each of the country’s 12 provinces to follow up on child labor reports.³⁴¹⁶

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

With assistance from UNICEF, the Government of Rwanda adopted a National Policy for Orphans and Other Vulnerable Children in 2003 that identified some of the worst forms of child labor and sets strategies to ensure that children are protected from labor exploitation.³⁴¹⁷

The Government of Rwanda is one of seven countries participating in a USDOL-funded ILO-IPEC program to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.³⁴¹⁸ In 2004 the government opened a demobilization center for child soldiers returning from the Democratic Republic of the Congo that provides counseling, medical screening, and schooling. Former child soldiers returning to their home communities receive financial support from the Ministry of Local Government and Social Affairs in the form of school fees, uniforms, and supplies.³⁴¹⁹

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	4/15/1981	✓
Ratified Convention 182	5/23/2000	✓
ILO-IPEC Associated Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan		

Currently, the Ministry of Gender and Family Promotion implements a limited vocational training program, and runs “solidarity camps” to assist street children.³⁴²⁰ The Ministry for Local Administration and Social Affairs (MINALOC) maintains safe houses for street children in each of the 12 provinces.³⁴²¹

MINALOC has also been responsible for administering two funds, which provide partial educational assistance for orphans to attend secondary school and assistance for genocide survivors to cover school fees.³⁴²² The World Bank is implementing a 6-year USD 35 million program that began in 2000 to build the

³⁴¹⁵ U.S. Department of State, *Country Reports- 2003: Rwanda*, Section 6d.

³⁴¹⁶ U.S. Embassy- Kigali, *unclassified telegram no. 1216*, August 23, 2004. See also U.S. Embassy- Kigali, conference call, February 24, 2004.

³⁴¹⁷ U.S. Embassy- Kigali, conference call, February 24, 2004. See also *National Policy for Orphans and Other Vulnerable Children in Rwanda*, 19-20. See also U.S. Department of State, *Country Reports- 2003: Rwanda*, Section 6d. See Section 1 of this country report for a list of worst forms identified by the government.

³⁴¹⁸ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: an Inter-Regional Program*, project document, INT/03/P52/USA, Geneva, September 30, 2003.

³⁴¹⁹ U.S. Department of State, *Trafficking in Persons Report- 2004: Rwanda*.

³⁴²⁰ U.S. Embassy- Kigali, conference call, February 24, 2004.

³⁴²¹ U.S. Embassy- Kigali, *unclassified telegram no. 1216*, U.S. Embassy- Kigali, *unclassified telegram no. 1473*, August 14, 2003.

³⁴²² Reports indicate that these funds do not sufficiently meet the needs of the target population. In addition, in some cases, budget shortfalls have led to delayed school fee payments, causing children to drop out of school. See *Lasting Wounds*, pg. 53.

capacity of the Ministry of Education.³⁴²³ The program includes school construction and other components designed to increase access to primary schools, enhance the quality of education, improve teacher training and curriculum development, provide more textbooks, and strengthen the administration of and community involvement in the educational system.³⁴²⁴ UNICEF, in cooperation with other donors, is supporting the establishment of the government's National Education Statistical Information System, which will facilitate data collection. UNICEF also works to meet the goal of universal quality primary education, and has established a national Education For All committee that has taken up the issue of girls' education.³⁴²⁵ The World Food Program, in collaboration with the Ministry of Gender and Family Promotion, provides food for children in 200 schools in 5 provinces.³⁴²⁶

³⁴²³ World Bank, *Human Resource Development Project*, [online] November 5, 2003 [cited May 19, 2004]; available from <http://www.worldbank.org/external/projects/main?pagePK=73230&thesitePK=409418menuPK=2284248Projectid=P045091>.

³⁴²⁴ Ibid.

³⁴²⁵ UNICEF, *At a glance: Rwanda, the big picture*, [cited May 19, 2004]; available from <http://www.unicef.org/infobycountry/rwanda.html>.

³⁴²⁶ U.S. Department of State, electronic communication, February 24, 2004.